

Application No.: 111325-140100

Serial No. 09/788,500

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REMARKS

This present amendment is being filed prior to the filing of an Appeal Brief. The Examiner is requested to enter these amendments before considering the Brief.

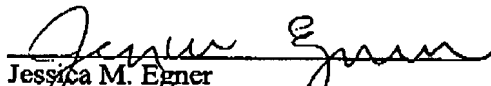
Because the present application is under appeal, the above amendments are presented pursuant to 37 CFR 41.33 (a). As indicated above, the amendments amend claims to comply with a requirement of form expressly set forth in a previous Office action. Specifically, claims 147, 199, and 249 are amended. Accordingly, these amendments should be entered.

In the final Office Action, the Examiner rejected claims 147-149, 153, 155-157, 195, 199-201, 205, 207-209, 247, and 249 under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response to the rejection, Appellant is amending claims 147, 199, and 249 in order to overcome the 35 U.S.C. § 112, second paragraph rejection.

With respect to the rejection of claims 147-149, 153, 155-157, 195, 199-201, 205, 207-209, 247, and 249 under 35 U.S. C. § 103(a) as being unpatentable over the public use of the invention by iUniverse as demonstrated by the periodicals listed as PTO 892 references U, V, W, X, and Y (hereinafter referred to as the iUniverse references) in view of Ginter et al. (U.S. Patent Number 5,892,900), the Examiner is respectfully directed to the forthcoming Appeal Brief in which those rejections are addressed.

In view of the foregoing, it is respectfully requested that the rejections and objection of record be reconsidered and withdrawn by the Examiner, that claims 1-10 and 15-20 be allowed, and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,


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